

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN DOHERTY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 04-370-SLR
	:	
STATE OF DELAWARE, et al.,	:	
	:	
Defendants.	:	

1st SET OF REQUESTS FOR ADMISSION DIRECTED TO PLAINTIFF

Defendants request that plaintiff admit the truth of the following paragraphs within thirty days in accordance with Fed.R.Civ.P. 36.

To the extent plaintiff does not provide an unqualified admission to the following paragraphs, plaintiff is requested to provide the specific reasons why an unqualified admission can not be provided as well as the identification of all individuals with knowledge, documents or tangible physical evidence that relates to such a failure to provide an unqualified admission and produce the same in accordance with Fed.R.Civ. P. 33 and 34, respectively.

1. Attached is a genuine and correct copy of a January 31, 2003 letter from Richard E. Seifert, Deputy Bureau Chief of Prisons, to you outlining a proposal to resolve a disciplinary matter then pending against you.

Response:

2. Attached is a genuine and correct copy of a February 13, 2003 Agreement between you and your employer to resolve the then pending disciplinary matter against you.

Response:

3. Your employer complied with and fully performed paragraphs 1 through 5 of the February 13, 2003 agreement.

Response:

4. In paragraph 6 of the February 13, 2003 agreement, you agreed to withdraw your current grievance and further agreed not to file any other grievances relative to the matter.

Response:

5. On June 10, 2004, you filed the present complaint against your employer and certain fellow employees alleging the same matters that you set forth in your January 27, 2003 letter and attached petition to Chief Noreen Renard.

Response:

STATE OF DELAWARE
Department of Justice

/s/ Marc P. Niedzielski
Marc P. Niedzielski (# 2616)
Deputy Attorney General
820 N. French Street, 6th Floor
Wilmington, DE 19801
(302) 577-8400

DATED: April 12, 2005

CERTIFICATE OF SERVICE

I certify that on April 12, 2005, I electronically served the attached 1st Set of Request for Admission Directed to Plaintiff on the following:

Richard R. Wier, Jr., Esquire
Daniel W. Scialpi, Esquire
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